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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,725	03/30/2001	David Art Mann	K35A0785	5978

35219 7590 10/27/2004

WESTERN DIGITAL TECHNOLOGIES, INC.
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EXAMINER

CARDONE, JASON D

ART UNIT	PAPER NUMBER
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2145

DATE MAILED: 10/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/823,725

Applicant(s)

MANN, DAVID ART

Examiner

Jason D Cardone

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 2, 7-9, 12, 15-18, 21, 22, 25 and 26 are rejected under 35

U.S.C. 102(e) as being anticipated by Hobbs, USPN 6,523,022.

5. Regarding claim 1, Hobbs discloses a method of receiving data at a client computer and performing an operation on the data received at the client computer, the method comprising:

receiving a key file at the client computer, the key file comprising a rule identifying the operation to be performed on the data received at the client computer [ie. embedded application, Hobbs, col. 28, line 56 – col. 29, line 33;

receiving the data at the client computer [Hobbs, col. 27, lines 16-22 and col. 29, lines 1-20]; and

performing the operation identified by the rule in the key file on the data received at the client computer [Hobbs, col. 29, lines 12-33 and col. 29, line 65 – col. 30, line 11].

6. Regarding claim 2, Hobbs further discloses the data is a bitmap [Hobbs, col. 29, line 65 – col. 30, line 11].

7. Regarding claims 7-9, Hobbs further discloses the data is an executable file, wherein the performing the operation identified by the rule in the key file on the data received at the client computer comprises, storing the data received at the client computer and running the executable file, upon receipt of the executable file [ie. running the Active X, Hobbs, col. 22, lines 28-66 and col. 29, lines 1-33].

8. Regarding claim 12, Hobbs further discloses displaying a message at the client computer upon receipt of the executable file [Hobbs, col. 29, lines 1-33].

9. Regarding claims 15 and 16, Hobbs further discloses the data is a document file, wherein the key file further comprises a document storage location and the storing the

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data received at the client computer comprises storing the data at the document storage location specified in the key [Hobbs, col. 23, line 60 – col. 24, line 41 and col. 30, lines 36-55].

10. Regarding claims 17, 18, 21, 22, 25 and 26, claims 17, 18, 21, 22, 25 and 26 have similar limitations as claims 1, 2, 7-9, 12, 15 and 16. Therefore, they are rejected under Hobbs for the same reasons set forth in the rejection of claims 1, 2, 7-9, 12, 15 and 16 [Supra 1, 2, 7-9, 12, 15 and 16].

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 3-6, 13, 14, 19, 20 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hobbs in view of Shoff et al. ("Shoff"), USPN 5,900,905.

13. Regarding claim 3, Hobbs discloses the data is a bitmap [Hobbs, col. 29, line 65 – col. 30, line 11]. Hobbs does not specifically disclose wherein the bitmap is a channel bitmap. However, Shoff, in the same field of endeavor, discloses a bitmap is a channel bitmap [Shoff, col. 7, lines 56-65]. It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to incorporate a channel bitmap, taught by

Shoff, into the system, taught by Hobbs, in order to have more user-friendly, interactive bitmaps.

14. Regarding claim 4, Hobbs-Shoff further discloses the performing the operation identified by the rule in the key file on the data received at the client computer comprises: determining a channel that is associated with the channel bitmap; storing the data received at the client computer; and displaying the channel bitmap when data for the channel associated with the channel bitmap is displayed [Hobbs, col. 23, line 60 – col. 24, line 41 and col. 30, lines 36-55] [Shoff, col. 7, line 56 – col. 8, line 37].

15. Regarding claims 5 and 6, Hobbs-Shoff further discloses the bitmap is a console bitmap, wherein the performing the operation identified by the rule in the key file on the data received at the client computer comprises: determining a console component that is associated with the console bitmap; storing the data received at the client computer; determining a display position on the console component for the console bitmap; and displaying the console bitmap in the determined position when the console component is displayed [Hobbs, col. 25, lines 11-26, col. 26, line 25-35 and col. 30, lines 36-55] [Shoff, col. 7, line 40 – col. 8, line 37].

16. Regarding claims 13 and 14, Hobbs-Shoff further discloses the data is support data, wherein the performing the operation identified by the rule in the key file on the data received at the client computer comprises: storing the data received at the client

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computer and displaying the data at an appropriate time and an appropriate location

[Hobbs, col. 22, lines 28-66] [Shoff, col. 2, line 58 – col. 3, line 2 and col. 7, lines 56-65].

17. Regarding claims 19, 20 and 24, claims 19, 20 and 24 have similar limitations as claims 1, 3-6, 13 and 14. Therefore, they are rejected under Hobbs-Shoff for the same reasons set forth in the rejection of claims 3-6, 13 and 14 [Supra 3-6, 13 and 14].

18. Claims 10, 11 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hobbs in view of Meyer et al. ("Meyer"), USPN 6,289,378.

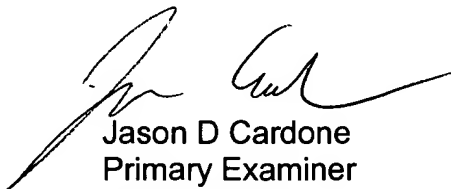
19. Regarding claims 10, 11 and 23, Hobbs substantially discloses the instant claimed invention. Hobbs does not specifically disclose running the executable file occurs upon the next boot-up of the client computer and a plurality of times upon subsequent boot-ups of the client computer. However, Meyer, in the same field of endeavor, discloses running executable files occur upon the next boot-up of a client computer and a plurality of times upon subsequent boot-ups of the client computer [Meyer, col. 6, lines 20-56. It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to incorporate running files upon a restart, taught by Meyer, into the system, taught by Hobbs, in order to for the executables to take into effect.

Conclusion

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason D Cardone whose telephone number is (703) 305-8484. The examiner can normally be reached on Mon.-Thu. (9AM-6PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on (703) 305-9705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jason D Cardone
Primary Examiner
Art Unit 2145

October 25, 2004